

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

02/04/2000

CLERK OF THE COURT
FORM R115B

THE HONORABLE ANNA M. BACA

C. Barr
Deputy

CR 1997-007899

FILED: _____

STATE OF/ARIZONA

BILLIE A/ROSEN

v.

DEBBIE/NISTETTER/(BB)
DOB: 4/17/57

WILBUR N HUDSON III

APO-CCC
APPEALS-CCC
DISPOSITION CLERK-CCC
RFR
VICTIM WITNESS DIV-AG-CCC

DISPOSITION HEARING PROBATION REVOKED - IMPRISONMENT

9:05 a.m. State is represented by Donald Conrad for Billie Rosen.
Defendant is present and represented by Wilbur Hudson.

Court Reporter, Tara Kramer, is present.

Counsel inform the Court that there is no further evidence to present.

The Defendant is given an opportunity to speak. Having found no legal
cause for delay, the Court enters the following judgment and sentence:

IT IS THE JUDGMENT of the Court that the Defendant violated the terms
of probation imposed on March 5, 1998 on the following charge(s), that upon
consideration of all the facts, law and circumstances relevant here, the
Court finds that suspension of sentence and reinstatement of probation are
not appropriate and that a sentence of imprisonment with the Department of
Corrections is appropriate.

IT IS THEREFORE ORDERED the probationary term previously granted is
hereby revoked.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

02/04/2000

CLERK OF THE COURT
FORM R115B

THE HONORABLE ANNA M. BACA

C. Barr
Deputy

CR 1997-007899

THE COURT FURTHER FINDS that there are circumstances sufficiently substantial to call for the term as indicated. These circumstances are stated by the Court on the record.

ACCORDINGLY, IT IS ORDERED that the Defendant is committed to the Arizona Department of Corrections for a term of imprisonment as follows:

OFFENSE: Illegally Conducting an Enterprise

FELONY CLASS: 3 Nonrepetitive

IN VIOLATION OF A.R.S. SECTION 13-2312(B), 2301, 3407, 701, 702 and 801

DATE OF OFFENSE: between November 1, 1995 and November 30, 1995

SENTENCE: 3 YEARS, 6 MONTHS

PRESUMPTIVE

NONDANGEROUS

This sentence is to date from February 4, 2000.

The Defendant is to be given credit for 345 days served prior to sentencing.

This sentence is to be concurrent with CR 99-08849 and CR 94-09449.

IT IS FURTHER ORDERED that the Defendant shall serve six months community supervision under the supervision of the Community Supervision Program, to be served consecutively to the actual period of imprisonment.

REIMBURSEMENT: IT IS ORDERED that the Defendant shall make and pay reimbursement through the Clerk of the Superior Court of Maricopa County for the reasons stated on the record in the total amount of \$100.00.

Payment shall be 30% of Defendant's earnings while incarcerated at the Department of Corrections commencing February 4, 2000 and to continue until Defendant is released from the custody of the Department of Corrections. Upon release from the Department of Corrections, payment shall commence on the first day of the second month after Defendant is released from the Department of Corrections and said payment shall not be less than \$40.00 per month.

IT IS ORDERED that the Defendant pay an assessment in the amount of \$20.00 to the Clerk of the Superior Court of Maricopa County as follows:

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

02/04/2000

CLERK OF THE COURT
FORM R115B

THE HONORABLE ANNA M. BACA

C. Barr
Deputy

CR 1997-007899

Pursuant to A.R.S. Section 12-116, Defendant shall pay a fee of \$20.00 to the Clerk of the Superior Court of Maricopa County. Should Defendant pay all penalties, fines and/or sanctions in full this date, said fee is not applicable.

IT IS FURTHER ORDERED that Defendant be given credit for all monies paid to date.

The Defendant is advised concerning rights of review after conviction and written notice of those rights is provided.

IT IS ORDERED authorizing the Sheriff of Maricopa County to deliver the Defendant to the custody of the Arizona Department of Corrections and authorizing the Department of Corrections to carry out the term of imprisonment set forth herein.

ISSUED: Order of Confinement.

IT IS FURTHER ORDERED that the Clerk of the Superior Court remit to the Department of Corrections a copy of this order together with all presentence reports, probation violation reports, medical and psychological reports which are not sealed relating to the Defendant and involving this cause.

FILED: Notice of Rights of Review After Conviction

Let the record reflect that the probation violation report is filed under CR 99-08849.

cc: DOC - Certified Copy via Certification Desk
cc: MCSO-DIS - Certified Copy via Certification Desk

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

02/04/2000

CLERK OF THE COURT
FORM R115B

THE HONORABLE ANNA M. BACA

C. Barr
Deputy

CR 1997-007899

Let the record reflect that the Defendant's thumbprint is permanently
affixed to this sentencing order in open court.

9:28 a.m. Matter concludes.

/s/ THE HONORABLE ANNA M. BACA
JUDICIAL OFFICER OF THE SUPERIOR COURT

(thumbprint)